

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE 1635
PATENT APPLICATION
#23
6-8-02

In re: PATENT APPLICATION of:

Inventor(s): Bright et al.

Appln. No.: 09 405,839

Series Code ↑

Serial No. ↑

Filed: September 27, 1999

Title: Improved Plant Germplasm

Group Art Unit 1635

Examiner: K. A. Lacourciere

Atty. Dkt. P 0263754

SEE 37090/UST

M#

Client Ref



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DO NOT USE FOR PROVISIONAL,
DIVISIONAL, CIP OR DESIGN
APPLICATIONS, OR REEXAMINATION OF
PATENTS

Hon. Commissioner of Patents
Washington, D.C. 20231

Date: May 28, 2002

RECEIVED

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

MAY 30 2002

TECH CENTER 1600/290

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action and Rule 17(e) filing fee must be enclosed

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed _____
2. ☒ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
 - ☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
 - ☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which **charge** the required \$130 fee to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of _____ (1 mo.) \$110/\$55
to cover the date this Request is filed. **PLEASE** (2 mos.) \$400/\$200 +0
CHARGE the requisite fee to our Deposit Account (see below). (3 mos.) \$920/\$460
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$740 (lg. ent.) ☐ \$370 (sm. ent.) to our Deposit Account No. 03-3975 under
Order No. 070608 / 0263754

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED

05/30/2002 AWONDAF1 00000028 033975 09405839

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740.00 CH

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Atty/Sec: RWH/kmh

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)